

OPINION 1459

Carcharias Rafinesque, 1810 (Chondrichthyes, Lamniformes): conserved

Ruling

Under the plenary powers those parts of Opinion 723 (BZN 22: 32–36) relating to the nominal genus *Carcharias* Rafinesque, 1810 (given there as '1809') are repealed, to the following effects:

(1) The name *Carcharias* Rafinesque, 1810 is hereby removed from the Official Index of Rejected and Invalid Generic Names in Zoology;

(2) The name *Carcharias* Rafinesque, 1810 (gender: masculine), type species by monotypy (see Opinion 47) *Carcharias taurus* Rafinesque, 1810, is hereby placed on the Official List of Generic Names in Zoology, with the endorsement that it is not to be given precedence over *Odontaspis* Agassiz, 1838 whenever the two are considered synonyms;

(3) The entry on the Official List of Generic Names in Zoology for *Odontaspis* Agassiz, 1838 is to be endorsed to prescribe that this name is to be given precedence over *Carcharias* Rafinesque, 1810, whenever the two are considered synonyms;

(4) The name *taurus* Rafinesque, 1810, as published in the binomen *Carcharias taurus* (specific name of the type species of *Carcharias* Rafinesque, 1810), is hereby placed on the Official List of Specific Names in Zoology;

(5) The name CARCHARIIDAE (correction of CARCHARIAE) Muller & Henle, [1839], type genus *Carcharias* Rafinesque, 1810, is hereby placed on the Official List of Family-Group Names in Zoology, with the endorsement that it is not to be given precedence over ODONTASPIDIDAE Muller & Henle, [1839] whenever the two are considered synonyms;

(6) The entry on the Official List of Family-Group Names in Zoology for ODONTASPIDIDAE Muller & Henle, [1839], is to be endorsed to prescribe that this name is to be given precedence over CARCHARIIDAE Muller & Henle, [1839] whenever the two are considered synonyms.

History of case 2414

An application for the conservation of *Carcharias* Rafinesque, 1810 was received from Dr L. J. V. Compagno (*Tiburon Center for Environmental Studies, California, U.S.A.*) and Dr W. I. Follet (*California Academy of Sciences, San Francisco, California, U.S.A.*) on 5 July 1982. After correspondence the case was published in BZN 43: 89–92 (April 1986). Notice of the possible use of the plenary powers was given in the same part of the *Bulletin* as well as to twelve general and eight specialist serials. No comment was received.

Decision of the Commission

On 1 March 1987 the members of the Commission were invited to vote for or against the proposals set out in BZN 43: 91. At the close of the voting period on 1 June 1987 the state of the voting was as follows:

Affirmative votes — 21: Alvarado, Bayer, Cocks, Cogger, Corliss, Gruchy, Hahn, Halvorsen, Hepell, Holthuis, Kraus, Lehtinen, Melville, Mroczkowski, Ride, Schuster, Starobogatov, Thompson, Trjapitzin, Uéno, Willink

Negative votes — 1: Savage.

Kabata abstained. No votes were returned by Bernardi and Dupuis.

While supporting the application, Ride commented that it was incorrect to say (BZN 43: 90, paras. 7–8) that Opinion 723 has 'forbidden' taxonomic freedom. That Opinion had (perhaps misguidedly) rendered the name *Carcharias* Rafinesque unavailable, but the present applicants had not been precluded from taxonomic comparisons; having made them, they sought to resurrect *Carcharias* Rafinesque rather than to introduce a new name.

Savage did not consider it desirable to repeal (in part) Opinion 723, which had been in force for 22 years.

Original references

The following are the original references to the names placed on Official Lists and removed from an Official Index by the ruling in the present Opinion:

CARCHARIIDAE Muller & Henle, [1839], *Systematische Beschreibung Plagiostomen*, p. xvii.

Carcharias, Rafinesque, 1810, *Caratteri di alcuni nuovi generi e nuove specie di Animali e Piante della Sicilia con varie osservazioni sopra i medesimi*, p. 10.

ODONTASPIDIDAE Muller & Henle, [1839], *Systematische Beschreibung Plagiostomen*, xvii.

Odontaspis Agassiz, 1838, *Recherches sur les Poissons Fossiles*, vol. 3, p. 87.

taurus, *Carcharias*, Rafinesque, 1810, *Caratteri di alcuni nuovi generi e nuove specie di Animali e Piante della Sicilia con varie osservazioni sopra i medesimi*, p. 10.